



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

August 20, 2014

Schroeder Law Offices, P.C.
c/o Wyatt E. Rolfe
1915 NE Cesar E. Chavez Boulevard
Portland, OR 97212

Re: **Benton Irrigation District** Change Authorization Nos.:
CS4-1752CTCL CS4-1752CTCL@1 CS4-1752CTCL@2
CS4-1752CTCL@3 CS4-1752CTCL@4 CS4-1752CTCL@5

Dear Mr. Rolfe:

In response to your request, you are hereby granted an extension to complete construction for the reason below:

- The final stage of Phase 3C is underway for system improvements.

The new deadline to submit your *Construction Notice* is **May 1, 2016**.

This Decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River Basin). The person to whom this Decision is issued, if he or she wishes to file an appeal, must file the notice of appeal with the Yakima County Superior Court **within thirty (30) days of receipt of this Decision**. Appeals must be filed with the Superior Court Clerk's Office, Yakima County Superior Court, 128 North 2nd Street, Yakima WA 98901, RE: Yakima River Adjudication. Appeals must be served in accordance with Pretrial Order No. 12, Section III ("Appeals Procedures"). The content of the notice of appeal must conform to RCW 34.05.546. Specifically, the notice of appeal must include:

The name and mailing address of the appellant;
Name and address of the appellant's attorney, if any;
The name and address of the Department of Ecology;
The specific application number of the decision being appealed;
A copy of the decision;
A brief explanation of Ecology's decision;
Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;
Facts that demonstrate the appellant is entitled to obtain judicial review;



Benton Irrigation District

Water Right Application File Nos. CS4-1752CTCL, CS4-1752CTCL@1, CS4-1752CTCL@2
CS4-1752CTCL @3, CS4-1752CTCL@4 & CS4-1752CTCL@5

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The appellant's reasons for believing that relief should be granted; and
A request for relief, specifying the type and extent of relief requested.

The "parties of record" who must be served with copies of the notice of appeal under RCW 34.05.542(3) are limited to the applicant of the decision subject to appeal, Ecology and the Office of the Attorney General.

All others receiving notice of this Decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed.** The appeal must be filed in the same manner as described above.

If you have any questions, please contact the Help Desk at 509-575-2597.

Sincerely,

A handwritten signature in black ink, appearing to read 'RFB', with a long horizontal line extending to the right.

Robert F. Barwin
Acting Section Manager
Water Resources Program

RFB:CLG:ss
140820

Enclosures: Construction Notice (6 copies)

By certified mail: 7010 0290 0000 7127 1962

cc: Shawn Gay, Chairman, BID Board of Directors
Benton Irrigation District